

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
CLERK OF COURT  
JUL 14 2004  
DISTRICT OF MASS.

*In the Matter of the Arbitration Between:*

MICHAEL HELMSTADTER, d/b/a  
ALPHEIUS, and d/b/a  
AUCTIONMEASURES.COM,

Petitioner,

and

SELLATHON, INC.,

Respondent.

MBD No. \_\_\_\_\_

**04 MBD 10189**

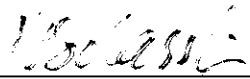
**NOTICE OF PETITION TO COMPEL ARBITRATION**

PLEASE TAKE NOTICE that as stated in the annexed Petition To Compel Arbitration, Michael Helmstadter, d/b/a Alpheius and d/b/a AuctionMeasures.com has asked the United States District Court for the District of Massachusetts to issue an Order compelling Sellathon, Inc. to arbitrate all of its claims against petitioner, in accordance with the Federal Arbitration Act, *codified as*, 9 U.S.C. § 1 *et seq.* Petitioner will request a hearing on the Petition for the earliest available date after Wednesday July 14, 2004. The Court is located at One Seaport Lane, Boston, Massachusetts.

This is your statutory notice as required by 9 U.S.C. § 4. Petitioner seeks an Order directing Sellathon, Inc. to proceed with arbitration, as required by Sellathon, Inc.'s Terms of Service agreement; or, in the event Sellathon, Inc. fails to arbitrate, to allow the arbitration to proceed without respondent's participation, together with whatever further or other relief that the Court deems appropriate.

Michael Helmstadter, d/b/a  
Alpheius and d/b/a AuctionMeasures.com,

By his attorneys,

  
\_\_\_\_\_  
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Dated: July 6, 2004.